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EXAMINER

CHEVALIER, ALICIA ANN

ART UNIT	PAPER NUMBER
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1772

21

DATE MAILED: 01/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AS-24

Office Action Summary

Application No. 09/872,353		Applicant(s) MCCARTHY ET AL.	
Examiner Alicia Chevalier		Art Unit 1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 139-181 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 139-165 and 169-181 is/are rejected.
- 7) ☒ Claim(s) 166-168 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>20</u> . | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

Request for Continued Examination

1. The Request for Continued Examination (RCE) under 37 CFR 1.53 (d) filed on October 22, 2003 is acceptable and a RCE has been established. An action on the RCE follows.
2. Claims 139-181 are pending in the application. Claims 1-138 have been cancelled.
3. The new claims in paper #19 filed on October 22, 2003, have been entered in the above-identified application.

NEW REJECTIONS

4. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 162 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In the instant case claim 162 contain(s) the limitations "butt-cut columns" and "butt-cut rows." The

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specification does not mention "butt-cut" and therefore these limitations are considered new matter.

Claim Rejections - 35 USC § 103

7. Claims 139, 141-144, 146, 148-152, 156-160, 162, 164, 177 and 178 are rejected under 35 U.S.C. 103(a) as being unpatentable over Popat et al. (U.S. Patent No. 5,407,718) in view of Marschke (U.S. Patent No. 5,209,810).

Regarding Applicant's claim 139, Popat discloses label sheets used for printing with personal computers (*col. 1, lines 12-19*). The label sheets comprise a label layer, Applicant's "cardstock sheet construction," and backing layer secured with adhesive, Applicant's "liner sheet" (*col. 3, lines 6-9*). The figures show that the label layer label layer has a front side and a back side and those portions of the back side of the label layer forming back side surfaces of the label.

Die cut lines extend through the label layer and through the adhesive layer, but do not pierce the backing layer. The backing layer remains intact as the labels are removed one by one, allowing the labels to be conveniently stored on the full sheet when only a few labels are left (*col. 3, lines 15-21*). Popat further discloses that die cuts form the numerous labels (*col. 2, lines 64-66*) and additional die cuts are provided to form flexible edges (*col. 3, lines 1-2*). Popat's die cut lines read on Applicant's claimed "continuous through-cut lines through the cardstock sheet construction to the back side but not through the liner sheet." As shown in figure 1 the die cut lines define at least in part perimeter edges of the printable label and a matrix waste portion.

Furthermore, the backing layer has a silicone release coating to permit easy removal of the mounted labels from the backing layer (*col. 3, lines 9-11*). Since Popat's backing layer is not die cut and is left as a full sheet it reads on Applicant's "a solid continuous liner sheet releasably secured to and covering the back side."

Since the backing layer remains intact as the labels are removed one by one (*col. 3, lines 15-21*), the areas of the sheet covers the back sides of all the die cut lines and thereby constructed and adapted to hold the label, Applicant's "business card," and the flexible edges, Applicant's "matrix waste portion," together if the label sheet is fed through a printer or copier for a printing operation on the labels. Also, the phrase "adapted to hold the printable business cards and matrix waste portion together when the sheet of printable business card is sheet fed through a printer or copier for a printing operation on the printable business cards" is functional limitation. In the absence of convincing objective evidence the adaptation is deemed a latent property. MPEP 2145 (II).

As shown in figure 2 the adhesive covers the entirety of the backside of the label layer.

Since additional die cuts are provided to form flexible edges (*col. 3, lines 1-2*), which separate the edge portions from the labels and the backing layer remains intact as the labels are removed one by one (*col. 3, lines 15-21*), the backing layer and the die cut lines are constructed and adapted to allow the labels to be removed from the backing layer and the flexible edges and separated after a printing operation into individual labels.

The preamble "a printable business card sheet" is deemed to be a statement of intended use and is not further limiting in so far as the structure of the product is concerned. In article claims, a claimed intended use must result in a *structural difference* between the claimed

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invention and the prior art in order to patentably distinguish the claimed invention from the prior art. MPEP 2111.02.

For convenience, the table below shows Applicant's structural limitations with the corresponding prior art structure feature.

<i>Applicant</i>	<i>Popat</i>
Cardstock sheet construction	label layer
Adhesive	adhesive layer
Liner sheet	Backing layer
Printable business card	Label
Continuous through-cut lines	die cuts
Matrix waste portion	flexible edges

Popat fails to disclose that the adhesive is an "ultraremovable adhesive."

Marschke discloses adhesive backed sheets, where the adhesive is a low tack ultra-removable adhesive so that the sheet is easily removable and reattachable (*col. 1, lines 44-46*).

Popat and Marschke are analogous because they are both discuss adhesively backed sheets.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Marschke's ultra-removable adhesive as the adhesive in Popat in order to utilize a low tack adhesive. One of ordinary skill in the art would have been motivated to use a low tack adhesive because it would allow the label to be easily removed and reattached. It is desirable to have a removable and reattachable label so that the user can reuse the label.

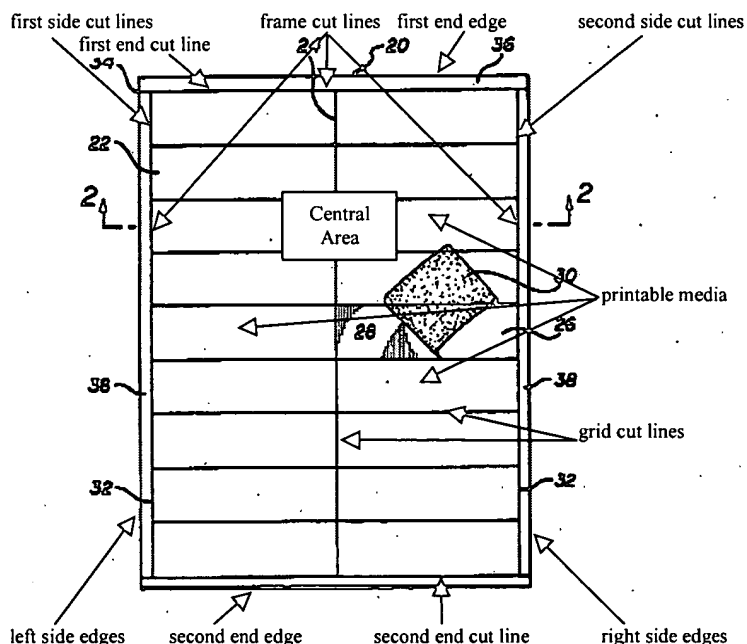
Regarding Applicant's claims 141-142 and 156, Popat shows in figures 2 and 3 that the backing layer covers all of the back sides of all of the die cut lines, extends the entire width of the label layer and covers the entire back side of the label layer.

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Regarding Applicant's claims 143-144, Popat shows in figure 1 that the labels directly abut one another and share common edges and are arranged in a matrix.

Regarding Applicant's claim 146, figure 1 in Popat shows that the label layer includes left and right side edges, the die cut lines include frame cut lined and grid cut line, the frame cut lines include first and second side cut lines spaced in from the left and right side edges respectively, and disposed parallel thereto, and first and second end cut lines spaced in from and parallel to the first and second edges, both of the end cut lines engaging both of the side cut lines, the frame cut lines defining a central area on the label layer, the grid cut lines defining a grid disposed in the central area, and the grid cut lines and the frame cut lines separating the central area into printable labels.

The following figure from Popat accompanies the discussion of claim 146.

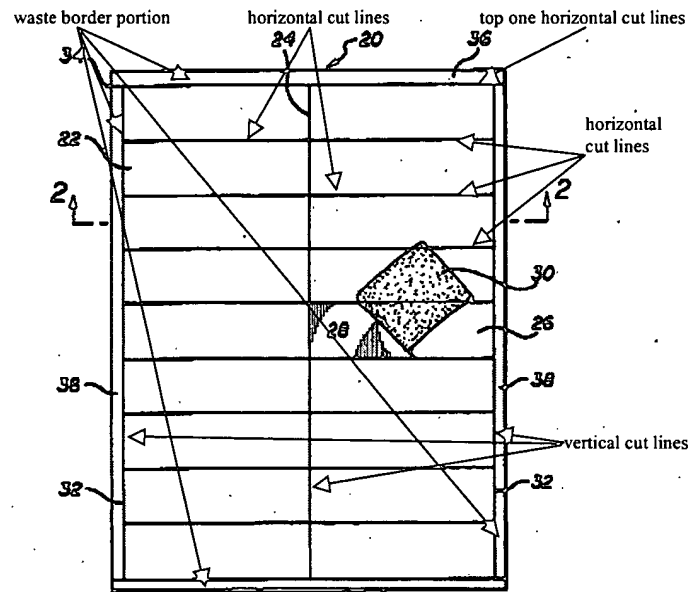


Regarding Applicant's claims 148-152, figure 1 in Popat shows that at least some of the die cut lines define a waste border portion of the label layer around the label, the die cut lines

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include vertical and horizontal cut lines. The top one of the horizontal cut lines extends a full width of the label layer and the ends of the rest of the horizontal cut lines are spaced inwardly from the left and right side edges of the label layer.

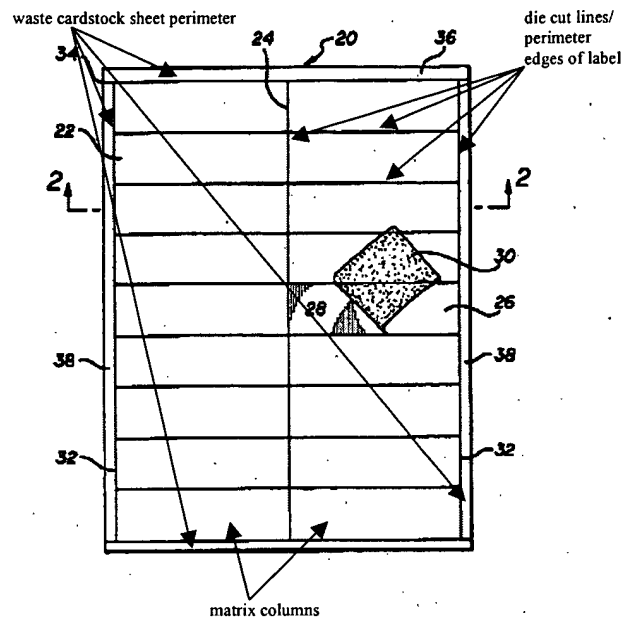
The following figure from Popat accompanies the discussion of claims 148-152.



Regarding Applicant's claims 157-160 and 162, Popat shows in figure 1 that the die cut lines define all of the perimeter edges of all the labels and the labels are arranged in a two column matrix or a pair of butt-cut columns. Figure 1 further shows that the labels in each column of the two-column matrix abut adjacent labels in the same column separated only by respective ones of the die cut lines. The matrix block of labels is surrounded by a waste cardstock sheet perimeter.

The following figure from Popat accompanies the discussion of claims 157-160.

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Regarding Applicant's claim 164, Popat shows in figures 1-3 that the label layer and the backing layer are both rectangular and have the same width and length in dimensions.

Regarding Applicant's claim 177, figures 2 and 3 in Popat show that the adhesive layer is directly on the label layer.

Regarding Applicant's claim 178, Popat discloses that the label sheet may be a standard 8.5 x 11 inches sheet (*col. 5, line 5*).

8. Claims 140 and 171 are rejected under 35 U.S.C. 103(a) as being unpatentable over Popat et al. (U.S. Patent No. 5,407,718) in view of Marschke (U.S. Patent No. 5,209,810) as applied to claims 139, 141-144, 146, 148-152, 156-160, 162, 164, 177 and 178 above, and further in view of Kennedy, Jr. (3,420,364).

Popat and Marschke are relied upon as described above.

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Popat and Marschke fail to disclose that the adhesive remaining on the liner sheet and leaving the back side surfaces of the printed business cards tack-free.

Kennedy discloses tags comprising a cardstock sheet (*reference #5' in figure 5*) construction having a front and a back side; a solid continuous liner sheet (*reference #1' in figure 5*) releasably secured with adhesive (*reference #2' in figure 5*). A lacquer coating is placed on the back of the cardstock sheet in order to help facilitate removal of the liner sheet and allow the tags to be removed from the liner sheet and separated with the adhesive remaining on the liner sheet, which leaves the back side surface of the tag non-tacky (*column 2, lines 32-50 and figure 5*).

Popat, Marschke and Kennedy are analogous because they all discuss label constructions/adhesively backed sheets.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add Kennedy's lacquer layer to the label layer suggested by the combination of Popat and Marschker in order to obtain a tack-free label. One of ordinary skill in the art would have been motivated to add the lacquer layer because it would render the label non-tacky and help facilitate the removal of the liner sheet. It is desirable to have a tack-free label so that the label will not damage fabric or other substrates with adhesive.

9. Claims 145, 161 and 180 are rejected under 35 U.S.C. 103(a) as being unpatentable over Popat et al. (U.S. Patent No. 5,407,718) in view of Marschke (U.S. Patent No. 5,209,810) as applied to claims 139, 141-144, 146, 148-152, 156-160, 162, 164, 177 and 178 above, and further in view of Carlson (U.S. Patent No. 5,842,722).

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Popat and Marschke are relied upon as described above.

Popat and Marschke fail to disclose that the cardstock sheet is coated/glossy.

Carlson discloses a printable laminate useful in forming die-cut identification cards, labels, etc. (*col. 1, lines 16-18*). The printable laminate includes die cut cards, which are coated with an ink receptive coating (*col. 19, line 50 through col. 20, line 3*). The ink receptive coating provides good ink image retention and adhesive retention (*col. 20, lines 1-3*).

Popat, Marschke and Carlson are analogous because they all discuss label constructions/adhesively backed sheets.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add Carlson's ink receptive coating to the label suggested by the combination of Popat and Marschke in order to enhance the adhesion of the ink to the label. One of ordinary skill in the art would have been motivated to employ Carlson's ink receptive coating because of the improved image retention and adhesive retention of the ink (*col. 20, lines 1-3*). It is desirable to enhance the adhesion of the ink to the label so that the ink would not rub off after being applied to the label.

10. Claims 147, 153-155, 163, 179 and 181 are rejected under 35 U.S.C. 103(a) as being unpatentable over Popat et al. (U.S. Patent No. 5,407,718) in view of Marschke (U.S. Patent No. 5,209,810) as applied to claims 139, 141-144, 146, 148-152, 156-160, 162, 164, 177 and 178 above, and further in view of Cross (U.S. Patent No. 4,863,772).

Popat and Marschke are relied upon as described above.

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Popat and Marschke fail to disclose that the liner sheet is a base paper sheet such as densified bleached kraft paper or the thickness of the liner sheet.

Cross discloses label stock comprising a facestock paper, a pressure-sensitive adhesive, a layer of low density polyethylene (film), and denisified bleached kraft paper release layer with a thickness of 3.1 mil (*figure 5 and col. 5, lines 1-38*).

Popat, Marschke and Cross are analogous because they all discuss label constructions/adhesively backed sheets.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a denisified bleached kraft paper as taught by Cross as the backing layer suggested by the combination of Popat and Marschke, since it would have been within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use, unless denisified bleached kraft paper gives unexpected results. *In re Leshin*, 125 USPQ 416.

The exact thickness of the backing layer is deemed to be a result effective variable with regard to size of paper acceptable for sending through a printer. It would have been obvious to one having ordinary skill in the art to have determined the optimum value of a result effective variable, such as combined thickness of layers through routine experimentation in the absence of a showing of criticality in the claimed thickness. *In re Boesch*, 205 USPQ 215 (CCPA 1980), *In re Woodruff*, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990). One of ordinary skill in the art would have been motivated to change the size of the layers in order to accommodate the machine in which the sheet was intended to be used in.

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11. Claims 172-174 are rejected under 35 U.S.C. 103(a) as being unpatentable over Popat et al. (U.S. Patent No. 5,407,718) in view of Marschke (U.S. Patent No. 5,209,810) as applied to claims 139, 141-144, 146, 148-152, 156-160, 162, 164, 177 and 178 above, and further in view of Klein (U.S. Patent No. 5,198,275).

Popat and Marschke are relied upon as described above.

Popat and Marschke fail to disclose that the liner sheet includes a flexibility/cut line.

Klein discloses a card stock sheet for labels (*col. 3, line 13*) comprising a lift out panel with rectangular score cuts, an adhesive, and a backing sheet with perforations (*figure 6*). The backing sheet with perforations corresponds to Applicant's liner sheet with flexibility/cut lines. The perforations ensure a smooth peripheral edge of each panel and smoothness of the edge at the panel face is enhanced without any roughness or frying or torn paper (*col. 3, lines 62-66*).

Popat, Marschke and Klein are analogous because they all discuss label constructions/adhesively backed sheets.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add Klein's perforations to the backing layer suggested by the combination of Popat and Marschke in order to facilitate easy removal of the web. One of ordinary skill in the art would have been motivated to use Klein's perforations as taught in *col. 3, lines 62-66*, where Klein teaches that the perforations ensure a smooth peripheral edge without any roughness of frying or torn paper.

The exact distance of the liner sheet cut lines to the end of the sheet is deemed to be a result effective variable. It would have been obvious to one having ordinary skill in the art to have determined the optimum value of a result effective variable, such as distance of liner sheet

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cut line to the end of the sheet through routine experimentation in the absence of a showing of criticality in the claimed combined thickness. *In re Boesch*, 205 USPQ 215 (CCPA 1980), *In re Woodruff*, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990).

12. Claims 175 and 176 are rejected under 35 U.S.C. 103(a) as being unpatentable over Popat et al. (U.S. Patent No. 5,407,718) in view of Marschke (U.S. Patent No. 5,209,810) as applied to claims 139, 141-144, 146, 148-152, 156-160, 162, 164, 177 and 178 above, and further in view of Hickenbotham et al. (U.S. Patent No. 4,704,317).

Popat and Marschke are relied upon as described above.

Popat and Marschke fail to disclose that the an edge of the sheet is thinner than a body of the sheet or that the sheet is calendared.

Examiner's comment: The limitation "the lead-in edge of the printable business card sheet is calendared" is a process limitation. However, this process limitation does add structure to the end product by crushing, compressing, making the calendared end thinner. So, for purposes of examination, any process that results in a crushed, compressed or thinner end is taken to anticipate the limitation "the lead-in edge of the printable business card sheet is calendared," since the method of forming the product is not germane to the issue of patentability of the product itself.

Hickenbotham discloses crushing the corner of lablestock for use in printers or copier to provide a diagonal path of relatively low stiffness (*col. 6, lines 9-16*). The low stiffness in the front edge of the sheet allows the sheet to be dispensed through the printer or copier with greater easier (*col. 1, lines 38-51*).

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Popat, Marschke and Hickenbotham are analogous because they all discuss label constructions/adhesively backed sheets.

It would have been obvious to one of ordinary skill in the art at the time of the invention to crush the edge of the sheet suggested by the combination of Popat and Marschke above, as taught by Hickenbotham, in order to make the edge thinner than the rest of the sheet and to facilitate dispensing.

One of ordinary skill in the art would have been motivated to crush the edge of the sheet because crushing the edge would provide a path of relatively low stiffness and would make the sheet easier to be dispensed through a printer as taught by Hickenbotham at col. 1, lines 38-51.

It is desirable to have the sheet be easily dispensed through a printer so that the sheet does not get jammed in the printer.

13. Claims 139 and 165 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casagrande (5,782,497) in view of Marschke (U.S. Patent No. 5,209,810).

Regarding Applicant's claims 139 and 165, Casagrande discloses removable cards used for business cards (*col. 1, lines 16-24*). The cards comprise a form layer, Applicant's "cardstock sheet construction," and base paper layer secured with adhesive, Applicant's "liner sheet" (*col. 2, lines 26-42*). The figure shows that the form layer has a front side and a back side and those portions of the back side of the form layer forming back side surfaces of the cards.

Die cut lines extend through the form layer and through the adhesive layer, but not pierce the base paper layer (*col. 2, lines 38-42 and the figure*). Casagrande's die cut lines read on Applicant's claimed "continuous through-cut lines through the cardstock sheet construction to

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the back side but not through the liner sheet.” As shown in the figure the die cut lines define at least in part perimeter edges of the printable label and a matrix waste portion. Since Casagrande’s base paper layer is not die cut and is left as a full sheet it reads on Applicant’s “a solid continuous liner sheet releasably secured to and covering the back side.”

Since the base paper layer is not die cut (*the figure*), the areas of the sheet covers the back sides of all the die cut lines and thereby constructed and adapted to hold the cards and matrix waste portion (*the figure*) together if the label sheet is fed through a printer or copier for a printing operation on the labels. Also, the phrase “adapted to hold the printable business cards and matrix waste portion together when the sheet of printable business card is sheet fed through a printer or copier for a printing operation on the printable business cards” is functional limitation. In the absence of convincing objective evidence the adaptation is deemed a latent property. MPEP 2145 (II).

As seen in the figure the base paper layer covers the entire backside of the form layer except for a narrow strip along a leading edge of the form sheet.

Casagrande fails to disclose that the adhesive is an “ultraremovable adhesive.”

Marschke discloses adhesive backed sheets, where the adhesive is a low tack ultra-removable adhesive so that the sheet is easily removable and reattachable (*col. 1, lines 44-46*).

Casagrande and Marschke are analogous because they are both discuss adhesively backed sheets.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Marschke’s ultra-removable adhesive as the adhesive in Casagrande in order to utilize a low tack adhesive. One of ordinary skill in the art would have been motivated to use a low tack

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adhesive because it would allow the label to be easily removed and reattached. It is desirable to have a removable and reattachable label so that the user can reuse the label.

14. Claims 169 and 170 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casagrande (5,782,497) in view of Marschke (U.S. Patent No. 5,209,810) as applied to claims 139 and 165 above, and further in view of Hickenbotham et al. (U.S. Patent No. 4,704,317).

Casagrande and Marschke are relied upon as described above.

Casagrande and Marschke fail to disclose that the an edge of the sheet is thinner than a body of the sheet or that the sheet is calendared.

Examiner's comment: The limitation "the lead-in edge of the printable business card sheet is calendared" is a process limitation. However, this process limitation does add structure to the end product by crushing, compressing, making the calendared end thinner. So, for purposes of examination, any process that results in a crushed, compressed or thinner end is taken to anticipate the limitation "the lead-in edge of the printable business card sheet is calendared," since the method of forming the product is not germane to the issue of patentability of the product itself.

Hickenbotham discloses crushing the corner of lablestock for use in printers or copier to provide a diagonal path of relatively low stiffness (*col. 6, lines 9-16*). The low stiffness in the front edge of the sheet allows the sheet to be dispensed through the printer or copier with greater easier (*col. 1, lines 38-51*).

Popat, Marschke and Hickenbotham are analogous because they all discuss label constructions/adhesively backed sheets.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to crush the edge of the sheet suggested by the combination of Casagrande and Marschke above, as taught by Hickenbotham, in order to make the edge thinner than the rest of the sheet and to facilitate dispensing.

One of ordinary skill in the art would have been motivated to crush the edge of the sheet because crushing the edge would provide a path of relatively low stiffness and would make the sheet easier to be dispensed through a printer as taught by Hickenbotham at col. 1, lines 38-51. It is desirable to have the sheet be easily dispensed through a printer so that the sheet does not get jammed in the printer.

Potential Allowable Subject Matter

15. Claims 166-168 are objected to as being dependent upon a rejected base claim, but might be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

ANSWERS TO APPLICANT'S ARGUMENTS

16. Applicant's arguments in paper #22 regarding the previous rejections of record have been considered but are moot due to the new grounds of rejection.

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (571) 272-1490.

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The Examiner can normally be reached on Monday through Thursday from 8:00 a.m. to 5:00 p.m. The Examiner can also be reached on alternate Fridays


If attempts to reach the Examiner are unsuccessful, the Examiner's supervisor, Harold Pyon can be reached by dialing (571) 272-1498. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for all communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose phone number is (571) 272-0987.

ac

1/11/04

A handwritten signature in black ink, appearing to be 'AC' with a long horizontal stroke extending to the right.


SANDRA M. NOLAN
PRIMARY EXAMINER

1-12-04